



DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Control Number 1010-0106; Docket ID: BOEM-2017-0016]

Agency Information Collection Activities; Oil Spill Financial Responsibility

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Ocean Energy Management (BOEM) is proposing to renew an information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Send your comments on this ICR by mail to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166; or by email to anna.atkinson@boem.gov. Please reference Office of Management and Budget (OMB) control number 1010-0106 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Anna Atkinson by email at anna.atkinson@boem.gov, or by telephone at 703-787-1025. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, BOEM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps

BOEM assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand BOEM's information collection requirements and provide the requested data in the desired format.

BOEM is soliciting comments on the proposed ICR described below. BOEM is especially interested in public comments addressing the following issues: (1) is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments submitted in response to this notice are a matter of public record. BOEM will include or summarize each comment in its request to OMB for approval of this ICR. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available. You may request that BOEM withhold from disclosure your personally identifiable information. Your request must identify any information contained in your comment that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You also must briefly describe any possible harmful consequences of disclosure of that information, such as embarrassment, injury, or other harm. While you can ask in your comment that your personally identifiable information be withheld from public disclosure, BOEM cannot guarantee that it will be able to do so under the law.

BOEM protects proprietary information in accordance with the Freedom of Information Act (5 U.S.C. 552), the Department of the Interior's implementing regulations (43 CFR part 2), and 30 CFR parts 550 and 552 promulgated pursuant to the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1352(c)).

Title of Collection: 30 CFR Part 553, "Oil Spill Financial Responsibility for Offshore

Facilities.”

Abstract: This ICR concerns the paperwork requirements in 30 CFR part 553, including any supplementary notices to lessees and operators that provide clarification, description, or explanation of these regulations, and forms BOEM-1016 through -1023, and BOEM-1025.

BOEM uses forms to collect information to ensure proper and efficient administration of its oil spill financial responsibility requirements. BOEM collects information to:

- Provide a standard method for establishing whether a party is required to demonstrate oil spill financial responsibility for offshore facilities;
- Identify and maintain a record of those offshore facilities that have a potential oil spill liability requiring the demonstration of oil spill financial responsibility;
- Establish and maintain a continuous record of evidence of oil spill financial responsibility to assure payment of claims for oil spill cleanup and damages resulting from operations conducted on covered offshore facilities and from the transportation of oil from covered offshore facilities;
- Establish and maintain a continuous record of responsible parties, as defined in title I of the Oil Pollution Act of 1990, and their agents or authorized representatives for oil spill financial responsibility for covered offshore facilities; and
- Establish and maintain a continuous record of persons to contact and U.S. agents for service of process for claims associated with oil spills from covered offshore facilities.

OMB Control Number: 1010-0106.

Type of Review: Renewal of a currently approved information collection.

Respondents/Affected Public: Designated applicants and holders of leases, permits, right-of-way grants, and right-of-use and easement grants on the OCS and in State coastal waters who are responsible parties. Other respondents may be designated applicants’ insurance agents and brokers, bonding companies, and guarantors. Some respondents may also be claimants.

Total Estimated Number of Annual Responses: 2,233 responses.

Total Estimated Number of Annual Burden Hours: 34,695 hours.

Respondent's Obligation: Mandatory.

Frequency of Collection: On occasion or annual.

Total Estimated Annual Non-Hour Burden Cost: There is no non-hour cost burden associated with this collection.

Estimated Reporting and Recordkeeping Hour Burden: The current annual burden for this collection is 22,133 hours. BOEM proposes to increase the annual burden to 34,695 hours to account for changes in industry operations due to COVID and remote work. As COVID restrictions ease and continue to be lifted, BOEM expects an increase in the number of respondents annually due to industry practices developed during the pandemic as companies resume production and re-establish oil spill financial responsibility coverage.

Remote work led to changes in how industry reviews and processes required documents. Prior to COVID, in-person meetings with a group of reviewers were held to complete the task quickly and efficiently. Now with many employees working from home, document preparation, review, and editing are taking longer as the documents move through several individual reviewers. Companies have provided this feedback through our outreach efforts. Therefore, BOEM is increasing hour burdens to account for the additional review and editing time. This increase in respondents and burden hours may be temporary and will be revisited by BOEM during future reviews of U.S. OCS supply and demand patterns.

The following table details the individual components and respective hour burden estimates of this ICR. In the table, the term “oil spill financial responsibility” has been shortened to “OSFR.”

BURDEN BREAKDOWN

Citation 30 CFR part 553	Reporting Requirement*	Hour Burden	Average No. of Annual Reponses	Annual Burden Hours
Various sections.	The burdens for all references to submitting evidence of OSFR, as well as required or supporting information, are covered with the forms below.			0
Applicability and Amount of OSFR				
11(a)(1); 40; 41	Form BOEM-1016 – Designated Applicant Information Certification.	3	250	750
11(a)(1); 40; 41	Form BOEM-1017 – Appointment of Designated Applicant.	10	750	7,500
11(a)(1); (2)	Form BOEM-1025 – Independent Designated Applicant Information Certification.	2	200	400
12, 45	Request for determination of OSFR applicability. Provide required and supporting information.	2	5	10
15	Notify BOEM of change in ability to comply.	1	1	1
15(f)	Provide claimant written explanation of denial.	1	15	15
Subtotal			1,221	8,676
Methods for Demonstrating OSFR				
21-28; 40	Form BOEM-1018 – Self-Insurance Information, including renewals.	3	50	150
30; 40; 41; 43	Form BOEM-1023 – Financial Guarantee.	2	50	100
29; 40; 41; 43	Form BOEM-1019 – Insurance Certificate.	120	150	18,000
31; 40; 41; 43	Form BOEM-1020 – Surety Bond.	24	4	96
32	Proposal and supporting information for alternative method to evidence OSFR (anticipate no proposals, but regulations provide the opportunity).	120	1	120
Subtotal			255	18,466
Requirements for Submitting OSFR Information				
14; 40; 41; 43	Form BOEM-1021 – Covered Offshore Facilities.	10	255	2,550
40-42	Form BOEM-1022 – Covered Offshore Facility Changes.	10	500	5,000
Subtotal			755	7,550
Claims for Oil-Spill Removal Costs and Damages				
Subpart F	Claims: BOEM is not involved in the claims process. Assessment of burden for claims against the Oil Spill Liability Trust Fund (33 CFR parts 135, 136, 137) falls under the responsibility of the U.S. Coast Guard.			0
60(d)	Claimant request for BOEM assistance to determine whether a guarantor may be liable for a claim.	2	1	2
62	Within 15-calendar days of claim, designated applicant must notify the guarantor and responsible parties of the claim.	1	1	1
Subtotal			2	3
Total Burden			2,233 responses	34,695 hours

* In the future, BOEM may require electronic filing of financial and bonding submissions.

An agency may not conduct or sponsor, and a person is not required to respond to, a

collection of information unless it displays a valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

Peter Meffert,

Acting Chief,

Office of Regulations.

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